

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
	:
MAIROBY HERNANDEZ, Individually,	:
and On Behalf of All Others Similarly	:
Situated,	:
	:
Plaintiff,	:
	:
-against-	:
	:
WINE CHIPS, INC.,	:
	:
Defendant.	X

22-CV-5598 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on June 30, 2022, (Doc. 1), and filed an affidavit of service on July 21, 2022. (Doc. 5.) On August 5, 2022, Plaintiff filed a letter requesting a 30-day extension for Defendant to respond to Plaintiff's Complaint. (Doc. 6.) The letter was filed on Defendant's behalf as the Defendant was in the process of retaining New York counsel. (*Id.*) I granted the extension request, (Doc. 7), but to date, the Defendant has not appeared or responded to the Complaint. Accordingly, if Plaintiff intends to seek a default judgment, Plaintiff is directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than September 19, 2022. If Plaintiff fails to do so or otherwise demonstrate that they intend to prosecute this litigation, I may dismiss this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: September 13, 2022
New York, New York



Vernon S. Broderick
United States District Judge